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4 Attorney for Plaintiff
 Alexey STEPANOV
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6 **UNITED STATES DISTRICT COURT**
 7 **NORTHERN DISTRICT OF CALIFORNIA**
 8 **SAN JOSE DISTRICT**

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 10 **Alexey Stepanov,** } Case No.: C 07-02492 RS
 11 Plaintiff, } PLAINTIFF'S NOTICE OF MOTION
 12 vs. } AND MOTION FOR SUMMARY
 } JUDGMENT
 13 **Michael Chertoff, Secretary, Department of** } Magistrate Judge: Hon. Richard Seeborg
 14 **Homeland Security; Peter Keisler, Acting** } Date: October 24, 2007
 15 **Attorney General; Emilio T. Gonzalez,** } Time: 9:30 A.M.
 16 **Director, United States Citizenship and** } Courtroom 4, 5th Floor
 17 **Immigration Services; F. Gerard Heinauer,** }
 18 **Director, Nebraska Service Center, United** }
 19 **States Citizenship and Immigration** }
 20 **Services, Robert S. Mueller, III, Director,** }
 21 **Federal Bureau of Investigation** }
 22 **Defendants.** }

23 **NOTICE OF MOTION**

24 TO THEIR DEFENDANTS AND ATTORNEY OF RECORD:

25 NOTICE IS HEREBY GIVEN that this matter may be heard before the Honorable Judge
 26 Richard Seeborg, located at 280 South First Street, Courtroom 4, 5th Floor, San Jose, CA 95113,
 27 October 24, 2007 at 9:30 AM, at which time Plaintiff Alexey Stepanov will and hereby moves
 28 the court for summary judgment pursuant to Federal Rule of Civil Procedure 56 on the ground

1 that there is no genuine issue as to any material fact and that Plaintiff is entitled to a judgment as
2 a matter of law.

3 Plaintiff's motion is based on this Notice of Motion and Motion, the accompanying
4 Memorandum of Points and Authorities in support of this motion and attached declaration, all
5 pleadings and papers filed in this action, and upon such other matters as may be presented to the
6 Court at the time of the hearing.

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8 September 19, 2007

Respectfully submitted,

//s//

10 Judith Michaels Morrow

11 Attorney for Plaintiff Alexey Stepanov

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